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5 **UNITED STATES DISTRICT COURT**  
6 **DISTRICT OF NEVADA**  
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8 TANYA SPURBECK,

9 Plaintiff(s),

10 v.

11 WYNDHAM DESTINATIONS, INC., et al.,

12 Defendant(s).

Case No. 2:20-cv-00346-RFB-NJK

**Order**

[Docket No. 108-1]

13 Plaintiff marked a document she filed with the Court as “confidential,” prompting that  
14 document to be filed under seal. Docket No. 108-1.

15 There is a strong presumption in favor of the public’s access to judicial filings. *See, e.g.,*  
16 *Kamakana v. City & Cnty. of Honolulu*, 447 F.3d 1172, 1179 (9th Cir. 2006). Documents filed in  
17 relation to a non-dispositive matter may not be sealed absent a particularized showing of good  
18 cause. *Id.* at 1180.

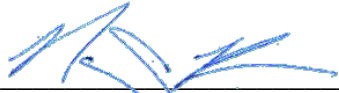
19 The exhibit at issue here is a copy of a published research paper that is on its face publicly  
20 available. Docket No. 108-1 at 2 (“The current issue and full text archive of this journal is available  
21 on Emerald Insight at: [www.emeraldinsight.com/2040-7149.htm](http://www.emeraldinsight.com/2040-7149.htm)”).<sup>1</sup> As such, there appears to be  
22 no basis for that document to remain sealed. *Cf. Protectmarriage.com-Yes on 8 v. Bowen*, 752  
23 F.3d 827, 834 (9th Cir. 2014) (“once a fact is widely available to the public, a court cannot grant  
24 ‘effective relief’ to a person seeking to keep that fact a secret”).

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28 <sup>1</sup> A simple web search also appears to provide the exact same document in publicly-  
available form. *See* <https://dynamic.uoregon.edu/jjf/articles/acrfonline.pdf>.

1 No later than June 2, 2021, Plaintiff must explain in writing why this exhibit should remain  
2 sealed. Failure to do so will result in the exhibit being unsealed.

3 IT IS SO ORDERED.

4 Dated: May 26, 2021

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8 Nancy J. Koppe  
9 United States Magistrate Judge  
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